

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

STEPHANIE PORTWOOD, mother,)	
individually, and personal representative)	
of ERIC STEFAN BAGGETT, deceased,)	
and A.L.B., minor daughter and heir at)	
law of ERIC STEFAN BAGGETT,)	
deceased,)	No.: 3:13-CV-00186
)	JUDGE TRAUGER
Plaintiffs,)	
)	
v.)	
)	
MONTGOMERY COUNTY,)	
TENNESSEE and CORRECT CARE)	
SOLUTIONS, LLC,)	
)	
Defendants.)	

DEFENDANT CORRECT CARE SOLUTIONS, LLC’S
MOTION TO DISMISS

Defendant, Correct Care Solutions, LLC (“CCS”), by and through counsel, pursuant to Rule 12 (b)(6) of the Federal Rules of Civil Procedure, moves this Court to dismiss the claims against it in this case. For grounds, CCS would show that Plaintiffs have failed to comply with the mandatory prerequisites for filing an action pursuant to Tennessee’s Health Care Liability Act, set forth at Tennessee Code Annotated Sections 29-26-101, *et seq.*

In support of its Motion, CCS relies upon and incorporates its contemporaneously filed Memorandum of Law and further relies upon the pleadings. For the reasons set forth herein and more fully explained in the accompanying Memorandum of Law, CCS respectfully moves this Court to dismiss the claims against it for failure to state a claim under Rule 12 (b)(6) of the Federal Rules of Civil Procedure, with costs taxed to Plaintiffs.

Respectfully submitted,

LEWIS, KING, KRIEG & WALDROP, P.C.

By /s/ Lisa Ramsay Cole

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CERTIFICATE OF SERVICE

I hereby certify that on this the 26th day of June, 2013, a copy of the foregoing Motion to Dismiss was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

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